

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GREENHOUSE INTERNATIONAL, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 07-722-GMS-LPS
	:	
MOULTON LOGISTICS MANAGEMENT	:	
INC.,	:	
	:	
Defendant.	:	

ORDER

At Wilmington, this **14th** day of **October, 2008**.

For the reasons stated during the motions hearing held this same date,

IT IS HEREBY ORDERED that Defendant Moulton's Motion to Stay Pending Arbitration (D.I. 5) is DENIED.

IT IS FURTHER the Report and Recommendation of the undersigned magistrate judge that Plaintiff Greenhouse's Motion to Enjoin Defendant from Proceeding with Second Filed Petition in Another Jurisdiction (D.I. 8) be DENIED.

This Report and Recommendation is filed pursuant to 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b)(1), and D. Del. LR 72.1. The parties may serve and file specific written objections within ten (10) days after being served with a copy of this Report and Recommendation. Fed. R. Civ. P. 72(b). The failure of a party to object to legal conclusions may result in the loss of the right to de novo review in the district court. *See Henderson v. Carlson*, 812 F.2d 874, 878-79 (3d Cir.1987); *Sincavage v. Barnhart*, 171 Fed. Appx. 924, 925 n.1 (3d Cir. 2006).

The parties are directed to the Court's Standing Order In Non-*Pro Se* Matters For

Objections Filed Under Fed. R. Civ. P. 72, dated April 7, 2008, a copy of which is available on the Court's website, www.ded.uscourts.gov/StandingOrdersMain.htm.

IT IS HEREBY FURTHER ORDERED that a Rule 16 scheduling teleconference in this matter will be held on **November 12, 2008 at 10:00 a.m.** with Magistrate Judge Stark. Plaintiff's counsel shall initiate the teleconference call to 302-573-4573. Attached to this Order is a draft copy of the Magistrate Judge's Rule 16 Scheduling Order. Counsel shall confer regarding proposed dates in the scheduling order, and shall submit their proposal to the Court no later than three (3) business days before the teleconference.

The parties are required to discuss, prior to the teleconference, whether they unanimously consent to magistrate jurisdiction in whole or only with respect to particular motions, or not at all. The parties shall indicate in their cover letter with the proposed scheduling order that they have had these discussions and what the resolution has been. If there is not unanimous agreement, then only that fact need be reported, and in no instance should there be disclosure of the identity of which, if any, party does not consent to magistrate jurisdiction.

Delaware counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel or parties shall advise the Court immediately of any problems regarding compliance with this Order.

A handwritten signature in black ink, appearing to read "L. P. Stark", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE